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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/601,399
	Filing Date	June 23, 2003
	First Named Inventor	Solomita, Michael V. Jr., et al.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	

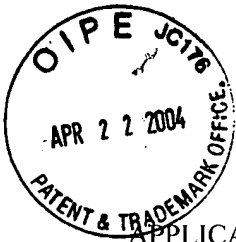
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MARK A. OATHOUT
Signature	
Date	4/19/2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Solomita, Michael V. Jr., et al.  
APPLICATION NO.: 10/601,399  
FILING DATE: June 23, 2003  
PUBLICATION NO.: 20040034484  
DATE of PUBLICATION: February 19, 2004

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Alexandria, VA 22313-1450

**THIRD-PARTY SUBMISSION in PUBLISHED APPLICATION**  
**37 CFR 1.99**

In accordance with § 1.99 of Title 37 of the Code of Federal Regulations, Applicant discloses the following information items which constitute the most relevant information items of which persons substantively involved in the present application are aware.

Ten (10) patents and publications are listed on the enclosed form and copies of these items are enclosed. A check to cover the rule 1.17(p) is also enclosed.

Respectfully Submitted,

Date:

4/19/2004

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the THIRD-PARTY SUBMISSION in PUBLISHED APPLICATION under 37 CFR 1.99 has been served on applicant at applicant's correspondence address: Brian Michaelis, Esq., Brown Rudnick Berlack Israels LLP, One Financial Center, Boston, MA 02111, by mailing a true and correct copy of same by first class mail, postage prepaid on this the 19th day of April, 2004.

  
Printed Name: Mark A. Oathout

**THIRD-PARTY SUBMISSION  
PUBLISHED APPLICATION  
37 CFR 1.99**



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APPLICANT:

Solomita, Michael V. Jr., et al.

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PRIORITY DATE CLAIMED:

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**U.S. PATENT DOCUMENTS**

DOCUMENT NUMBER	PUBLICATION DATE	NAME
5,818,725	October 6, 1998	McNamara et al.
5,805,458	September 8, 1998	McNamara et al.
5,924,486	July 20, 1999	Ehlers et al.
5,696,695	December 9, 1997	Ehlers et al.
5,598,349	January 28, 1997	Elliason et al.

**FOREIGN PATENT DOCUMENTS**

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**NON-PATENT PUBLICATION DOCUMENTS**

(Including Title, Date of Publication, Publisher if known, number of pages, etc.)

Electric Power Supply Management System; 1999; Comverge Technologies, Inc.; 2 pages.
ABOUT-FACE IN ISRAEL; July 20, 1992; Business Week; 2 pages.
DSI – EPSM; July, 1993; 5 pages.
MAINGATE HOME; 2003; Comverge, Inc.; 1 page.
Gulf Power Company Conservation Plan; February 1990; Florida Public Service Commission; 15 pages.